

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DAVID MICHON,)
Plaintiff,)
v.)
OFFICER EMILY CAMPBELL #15492,) Case No. 16 CV 6104
OFFICER KEITH FUELLING #13618,)
OFFICER ERIC OLIVER #8377,)
and THE CITY OF CHICAGO,) JUDGE LEINENWEBER
Defendants.)

**DEFENDANTS' MOTION TO STIKE PLAINTIFF'S 09/30/2019 REQUESTS TO
ADMIT TO EACH DEFENDANT**

NOW COME Defendants, Officer Emily Campbell, Officer Keith Fuelling, and Officer Oliver #8337 (hereafter, "Defendant Officers") and The City of Chicago (collectively Municipal Defendants"), by ERIC S. PALLS of RAVITZ & PALLS, P.C., one of their attorneys, and brings this Motion to Strike Plaintiff's 09/30/2019 Requests to Admit to Each Defendant. In support, the Defendants state the following:

1. The initial discovery cut-off date was September 30, 2017. After numerous extensions, several requested by Plaintiff and some joint, discovery finally closed on July 25, 2018.

2. On September 30, 2019, fourteen months after discovery ended and 28 days before the scheduled start of this trial on October 28, Plaintiff served the Defendants with requests to admit. The Requests to admit are discovery requests. Fed. R. Civ.P. 5(d)(1); *Girtler v. Wolf*, 2015 U.S. Dist. Lexis 141200, at *13 (E.D. Wis. Oct. 16, 2015). The eleventh-hour requests are oppressive and harassing. Since the discovery process is now closed the Plaintiff's

requests to admit should be stricken because they are untimely.

WHEREFORE, Defendants pray that Plaintiff's 09/30/2019 Requests to Admit be stricken.

Respectfully submitted,

s/Eric S. Palles
One of the Attorneys for Defendants

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OFFICER EMILY CAMPBELL #15492,) Case No. 16 CV 6104
OFFICER KEITH FUELLING #13618,)
OFFICER ERIC OLIVER #8377,)
OFFICER RICHARD SCOTT #308) JUDGE LEINENWEBER
and THE CITY OF CHICAGO,)
Defendants.)

CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2019, I caused to be filed the foregoing **Defendants' Motion To Strike Plaintiff's 09/30/2019 Requests To Admit To Each Defendant** with the Clerk of the Court through the CM/ECF System, causing notice of such filing to be sent to the following individual:

Blake Horwitz, Esq.
The Blake Horwitz Law Firm, Ltd.
111 W. Washington, Suite 1611
Chicago, IL 60602

Respectfully submitted,
s/ Eric S. Palles
One of the Attorneys for Defendants

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